

The Police Commission of the City and County of San Francisco met via videoconference at 5:34 p.m.

PRESENT: Commissioners Elias, Byrne, Yee, Carter-Oberstone, Benedicto, Walker
ABSENT: Commissioner Yanez

(Commissioner Yee joined the meeting at 5:42 p.m. Commissioner Carter-Oberstone joined the meeting at 5:45 p.m.)

GENERAL PUBLIC COMMENT

Francisco Dacosta spoke of quality of life issues and spoke of needing a police force closer to the number of 2000. He stated that the police force now cannot manage a lot of the situation because of the pandemic and because of other issues that adversely impact the citizens of San Francisco.

David Aaronson, Wealth & Disparities, read a quote by their founder regarding bias in the SFPD. He went on to talk about problems with the working group regarding traffic DGO 9.01 and concerns regarding holding meetings in police station and during workdays. He talked about intimidation and that meetings should be held in time and convenience in people in the Black community.

Luke Bornheimer talked about barricades along Mission Station and that they should come down and be removed as soon as possible. He also talked about a lack of traffic enforcement on Focus on the 5. He stated that they need to see traffic enforcement especially on Focus on the 5.

Susan Buckman, Wealth & Disparities, read a quote by their founder regarding bias in the SFPD. She went on to talk about problems with the working group regarding traffic DGO 9.01.

Jean Bridges, Wealth & Disparities, read a quote by their founder regarding bias in the SFPD and spoke of lack of urgency in response to their requests.

Stacy spoke of barricades on Mission Station and that they create a hostile environment and spoke of traffic enforcement especially on Focus on the Five as this is critical for the community.

Adoption of Minutes

- **For the meetings of July 6, 13, and 20, 2022**

Motion by Commissioner Elias, second by Commissioner Walker. Approved 6-0.

AYES: Commissioner Walker, Benedicto, Carter-Oberstone, Byrne, Yee, Elias
ABSENT: Commissioner Yanez

Consent Calendar

- **Audit of Electronic Communication Devices for Bias, 2nd quarter 2022**
- **SFPD/DPA Document Protocol Report, 2nd Quarter 2022**
- **Request for approval to accept an Amazon Gift Card valued at \$100 given to Officer Anna Cuthbertson**

Motion by Commissioner Yee, second by Commissioner Benedicto. Ayes 6-0.

AYES: Commissioner Walker, Benedicto, Carter-Oberstone, Byrne, Yee, Elias
ABSENT: Commissioner Yanez

PUBLIC COMMENT

None

Chief's Report

- **Weekly crime trends**
- **Major/Significant Incidents**

Chief Scott reported on crime trends YTD: Violent Crime up 6 percent; homicide down 6 percent; rape up 8 percent; robbery up 3 percent; assault up 10 percent; human trafficking down 56 percent. Property Crimes up 8 percent; burglary down 23 percent; motor vehicle theft up 2 percent;

arson down 15 percent; larceny theft up 19 percent. Gun violence is down 8 percent compared to 2021; Two shooting incidents for the week ending on 9/4/22; total 122 incidents resulting in 141 victims YTD. One homicide for the week ending 9/4/22; there are a total of 34 homicides YTD with 25 resulting from a firearm; 63% overall clearance. Guns seized 694; ghost guns seized 129 YTD.

Significant Incident: Homicide at 1000 Block of Oakdale, September 4th, multiple shot spotter notifications with two victims with gunshot wounds located, 1 victim succumb to her injuries; a third victim with gunshot wounds self-transported to the hospital; three of the four suspects open fired at a group of people who were in the parking lot; Bayview provided additional patrols in and around the area of the incident. Two shooting incidents: September 4th, 500 block of Valencia, victim approached by suspect who was an ex-coworker; victim and suspect was in a physical fight; suspect pulled out a gun and shot two rounds striking the victim who was transported to the hospital; suspect was taken into custody. Another shooting on September 4th, 300 Block of Ocean, Ingleside, officer responded to a club and located a victim with gunshot wound to the chest; no arrest has been made, investigation is ongoing.

Significant arrest: Internet Crimes Against Children "ICAC" Unit made arrest on a person responsible for child pornography in Livermore and investigators seized multiple electronic devices as evidence and determined that there are additional victims. Retail theft arrest of a repeat offender when officers responded to the Safeway on 30th and Mission; total of three suspects were arrested; this was the sixth arrest of one of the suspects arrested. Arrest of shooting suspect on August 16th, where a male was shot by his girlfriend's ex-boyfriend on the 1000 block of Market Street. On August 30th, a subject came into SFPD to retrieve items from a previous case. The officer recognized the suspect from a crime bulletin; suspect was booked on the assault with a deadly weapon. Robbery with a gun series, two suspects taken into custody on August 31st following an investigation of at least nine armed robberies in San Francisco throughout the month of August. Hit a run with serious injuries on September 3rd at Junipero Serra where a vehicle traveling at a high rate of speed ran a stop light and collided with a vehicle; suspects fled on foot where suspect's vehicle were used for retail thefts in Palo Alto and Stonestown Galleria, no arrest made, investigation is ongoing.

Strategies: Central: Focus on street robbery issues and auto burglaries; plainclothes teams deployed in areas where these crimes have occurred; Richmond: Focus on prevention and high visibility in areas with increased burglaries and break ins.

The Chief then reported on barricades along Valencia were put in place on some of the sidewalks in the Mission to hold ground once the sidewalks were cleaned up.

The Chief gave a brief update on some of the General Orders that the Commission have prioritized. There are 29 DGOs that are in the current revision process. DGOs 1.03, 1.04, 1.05, 1.06, 1.07: Duties of Personnel: 4 DGOs will be combined; Serious Incident Review Board, draft written and need to assemble working group.

PUBLIC COMMENT

Francisco Dacosta spoke of a stabbing incident and stated that the Street Violence Intervention Program does excellent work. He stated he is noticing more violence.

Luke Bornheimer spoke regarding barricades around Mission Station along Mission and Valencia Streets and that it would be great to see these down.

DPA Director's Report

- Report on recent DPA activities, and announcement

Executive Director Henderson reported the following: In the year 2022: 465 cases opened; 501 closed; 244 pending; 47 cases sustained; 22 cases past 270-day; 16 cases mediated. Cases received in the past 5 weeks: 61 new cases; 5 (Central) harassment, a supervisor failed to intervene, failed to provide a badge number on request, failed to take a stolen identity report, and failed to make an arrest; 8 (Southern) abuse of power, failure to conduct a thorough search, reckless driving, failure to investigate an assault, detention of a person for mental health evaluation without justification; 1 (Bayview) followed and harassed complainant; 5 (Mission) illegal seizure of a firearm and failure to investigate an accident; 5 (Northern) failure to take a police report, issued a search warrant without cause, failure to use de-escalation techniques, improper citation, and use of profanity; 6 (Park) issued an invalid parking ticket, followed, and harassed a person, refused to

prepare a police report, and failed to investigate a reported crime; 3 (Richmond) rude and refused to take a police report, wrongful detention and citation, failure to investigate, and arrest a person who attempted to steal car parts; 1 (Ingleside) reckless driving; 5 (Taraval) failure to respond to a trespasser illegally detained a person under mental health evaluation and illegally obtained and provided criminal background information on a person; 10 (Tenderloin) excessive response time for a call for service, failure to arrest a suspect, failure to respond to multiple reports of break-ins, and failure to remove a homeless person from outside their business; 1 (Airport) threatened to issue a vehicle citation at the airport drop-off; 7 (out of town) off-duty trespassed on the property as a form of intimidation.

Audits: Two audits: One on how the Department handles officers' misconduct and second is Auditing the Police Department's compliance with DGO 8.10.

Outreach: Can be found on community calendar on the DPA's website and posted on Tweeter, Facebook, Instagram and on DHR's website: August started giving a mediation program overview at district stations and presented at Park, Tenderloin, and Central Stations; Participated in Mo Magic Backpack Giveaway and Resource Fair and presentation at various District Stations.

PUBLIC COMMENT

Francisco Dacosta spoke regarding when an officer is suffering pain and how many things happen and to have resources to help the officers and spoke of empathy.

Commission Reports

- **Commission President's Report**
- **Commissioners' Reports**
- **Commission announcements and scheduling of items identified for consideration at future Commission Meetings.**

Commissioner Elias spoke of pretext stops and stated that she's been working with the Department regarding DGO 5.01 to fix some of the issues with implementing the DGO as it currently stood and was able to fix it and will be on the agenda for next week.

Commissioner Benedicto updated regarding public outreach for draft DGO 9.01 which included outreach with two working group meetings, with patrol officers, with district captains, and with the community at National Night Outs. Next meeting will be on September 28th and information is on the Commission website. He also stated that the Commission have received a lot of emails and thanked the public for their feedback and those feedback are being addressed. He also met with Steve Flaherty regarding upcoming audits.

Commissioner Walker spoke of attending the listening session last night regarding DGO 9.01 and stated that everybody is paying attention to this and stated that it is good to talk about it. She also did a ride along at the Tenderloin and did some training at the Academy.

Commissioner Byrne would like to do another nighttime ride along at the Tenderloin and stated that the issue of drug dealers at night is disconcerting. He also stated that he and Commissioner Yee will meet with the Chief regarding awards and on Sunday will be the Fire, Police, and Sheriff Memorial Mass honoring first responders who died in the line of duty.

Commissioner Yee thanked Chief Scott and Commissioner Benedicto for attending the townhall meeting in Chinatown and thanked the Chief for resolving issues regarding attack on seniors. He also thanked the working group working on DGO 9.01. He also recommended a town hall meeting at Visitacion Valley.

Commissioner Carter-Oberstone spoke of the great work that has been going on DGO 9.01. He also stated that this will be the most transparent DGO process that the Commission have undertaken.

PUBLIC COMMENT

None

PROPOSE IMPLEMENTATION OF SAN FRANCISCO POLICE CODE ARTICLE 25, PRIVATE PROTECTION AND SECURITY SERVICES, AS REQUIRED BY THE BOARD OF SUPERVISORS ORDINANCE 13-22

Director Oliva-Aroche and Lieutenant Stephen Jonas presented the implementation of SF Code Article 25, Private Protection and Security Services as required by the Board of Supervisors Ordinance 13-22.

PUBLIC COMMENT

Francisco Dacosta spoke of an incident with drug addicts and security guards and spoke of not having enough police officers to take on other responsibilities.

PRESENTATION OF THE QUARTERLY ANALYSIS AND DATA REPORT, JANUARY – MARCH 2022

Executive Director Maguire presented the Quarterly Analysis and Data Report, January – March 2022.

PUBLIC COMMENT

David Aaronson don't understand comments that the Department is on the right track and stated that the disparities have been unchanged since DOJ COPS came in and that the statistics on arrests, use of force, and traffic stops are unacceptable.

PRESENTATION OF THE COLLABORATIVE REFORM INITIATIVE: QUARTERLY UPDATE

A/Captain Altorfer presented the Collaborative Reform Initiative, Quarterly Update.

PUBLIC COMMENT

None

PRESENTATION OF THE SFPD/DPA REPORT ON GENERAL ORDERS/POLCY PROPOSALS "SPARKS REPORT," 2ND QUARTER 2022

Taken off calendar to be put over to a later date.

PUBLIC COMMENT ON ALL MATTERS PERTAINING TO CLOSED SESSION

None

VOTE ON WHETHER TO HOLD CLOSED SESSION INCLUDING VOTE ON WHETHER TO ASSERT ATTORNEY-CLIENT PRIVILEGE WITH REGARDS TO ITEMS 13(b), (c), AND (d)

Motion by Commissioner Elias, second by Commissioner Walker. Approved 6-0

AYES: Commissioners Walker, Benedicto, Carter-Oberstone, Byrne, Yee, Elias

CLOSED SESSION (9:06 p.m. – 10:05 p.m.)

Roll Call;

a. PUBLIC EMPLOYEE PERFORMANCE: Chief of Police

a. Pursuant to Government code Section 67.10(b) and Penal Code 832.7: Review of findings and Chief's decision to return or not return officers to duty following officer-involved shootings (OIS 22-003)

(Present: Commissioners Elias, Yee, Byrne, Carter-Oberstone, Benedicto, Walker, Chief Scott, Deputy City Attorney Cabrera, Sgt. Youngblood, Sgt. Reynolds, Risa Tom, Sergeant Eric Pan, Sergeant Graig Wells)

b. CONFERENCE WITH LEGAL COUNSEL – Existing Litigation. Pursuant to Government Code Section 54956.9(d)(1) and San Francisco Administrative Code Section 67.10(d)(1):

Theodore Belzair v. City and County of San Francisco, San Francisco Superior Court for the Case No. CGC-20-585672, filed July 20, 2020 (ACTION)

(Present: Commissioners Elias, Yee, Byrne, Carter-Oberstone, Benedicto, Walker, Chief Scott, Deputy City Attorney Cabrera, Sgt. Youngblood, Sgt. Reynolds, Risa Tom)

c. CONFERENCE WITH LEGAL COUNSEL – Existing Litigation. Pursuant to Government Code Section 54956.9(d)(1) and San Francisco Administrative Code Section 67.10(d)(1):

Susan Bell v. City and County of San Francisco, et al., San Francisco Superior Court for the Case No. CGC-18-571878, filed December 6, 2018 (ACTION)

(Present: Commissioners Elias, Yee, Byrne, Carter-Oberstone, Benedicto, Walker, Chief Scott, Deputy City Attorney Cabrera, Sgt. Youngblood, Sgt. Reynolds, Risa Tom)

d. CONFERENCE WITH LEGAL COUNSEL – Existing Litigation. Pursuant to Government Code Section 54956.9(d)(1) and San Francisco Administrative Code Section 67.10(d)(1):

Crystal Gomez, et al. v. City and County of San Francisco, et al., U.S. District Court Northern District Case No. 21-cv05394 JCS, filed July 14, 2021 (ACTION)

(Present: Commissioners Elias, Yee, Byrne, Carter-Oberstone, Benedicto, Walker, Chief Scott, Deputy City Attorney Cabrera, Sgt. Youngblood, Sgt. Reynolds, Risa Tom)

e. PESONNEL EXCEPTION. Pursuant to Government Code section 54957(b)(1) and San Francisco Administrative Code Section 67.10(b) and Penal Code Section 832.7: Assignment of a Commissioner for the taking of evidence on disciplinary charges filed in case no. IAD 2021-0023 (ACTION)

(Present: Commissioners Elias, Yee, Byrne, Carter-Oberstone, Benedicto, Walker, Chief Scott, Sgt. Youngblood, Sgt. Reynolds, Risa Tom)

f. PESONNEL EXCEPTION. Pursuant to Government Code section 54957(b)(1) and San Francisco Administrative Code Section 67.10(b) and Penal Code Section 832.7: Assignment of a Commissioner for the taking of evidence on the Appeal of the Chief's Suspension filed in case no. DPA 43112A (ACTION)

(Present: Commissioners Elias, Yee, Byrne, Carter-Oberstone, Benedicto, Walker, Chief Scott, Deputy City Attorney Cabrera, Sgt. Youngblood, Sgt. Reynolds, Risa Tom)

g. PESONNEL EXCEPTION. Pursuant to Government Code section 54957(b)(1) and San Francisco Administrative Code Section 67.10(b) and Penal Code Section 832.7: Status and calendaring of pending disciplinary cases (ACTION)

(Present: Commissioners Elias, Yee, Byrne, Carter-Oberstone, Benedicto, Walker, Chief Scott, Deputy Sgt. Youngblood, Sgt. Reynolds, Risa Tom)

OPEN SESSION (10:05 p.m.)

VOTE TO ELECT WHETHER TO DISCLOSE ANY OR ALL DISCUSSION HELD IN CLOSED SESSION

Motion by Commissioner Carter-Oberstone, second by Commissioner Walker for non-disclosure. Approved 6-0.

AYES: Commissioners Walker, Benedicto, Carter-Oberstone, Byrne, Yee, Elias
ABSENT: Commissioner Yanez

PUBLIC COMMENT
None

ADJOURNMENT

Thereafter, the meeting was adjourned at 10:06 p.m.

Sergeant Stacy Youngblood
Secretary
San Francisco Police Commission

The Police Commission of the City and County of San Francisco met via videoconference at 5:37 p.m.

PRESENT: Commissioners Elias, Byrne, Yee, Carter-Oberstone, Yanez, Benedicto, Walker

GENERAL PUBLIC COMMENT

David Aaronson, Wealth and Disparities, read a quote from their founder regarding bias from SFPD and spoke of recommendations for the traffic DGO and expressed concerns regarding police involvement in the working group.

Susan Buckman, Wealth and Disparities, read a quote from their founder regarding bias from SFPD and spoke of concerns regarding the traffic DGO working group and spoke of no black community involvement in the working group.

Jean Bridges, Wealth and Disparities, read a quote from their founder regarding anti blackness in SFPD and spoke of racial disparities discussed in last week's meeting and concerns about Commissioner Byrne.

ELECTION OF COMMISSION OFFICERS

Motion by Commissioner Benedicto to have Cindy Elias as president of the Commission and Commissioner Carter-Oberstone as Vice President. Second by Jesus Yanez.

AYES: Commissioners Benedicto, Yanez, Carter-Oberstone, Elias

NAYS: Commissioners Walker, Yee, Byrne

Motion by Commissioner Walker to have Larry Yee as President and Cindy Elias as Vice President. No second.

PUBLIC COMMENT

David Aaronson supports Commissioner Elias as President.

Chief's Report

- **Weekly crime trends**
- **Major/Significant Incidents**

Chief Scott reported on crime trends YTD: Violent Crime up 6 percent; homicide down 3 percent; rape up 8 percent; robbery up 3 percent; assault up 10 percent; human trafficking down 56 percent. Property Crimes up 9 percent; burglary down 23 percent; motor vehicle theft up 3 percent; arson down 15 percent; larceny theft up 19 percent. Gun violence is down 9 percent compared to 2021; Three shooting incidents for the week ending on 9/11/22; total 126 incidents resulting in 145 victims YTD. Two homicides for the week ending 9/11/22; there are a total of 36 homicides YTD with 26 resulting from a firearm; 62% overall clearance. Guns seized 729; ghost guns seized 129 YTD. The Chief also reported on what is happening in the Tenderloin: 371 possession for sale bookings; seized over 68,000 grams of total narcotics, of that 39, 148 are Fentanyl.

Significant Incident: Two homicides: September 6th at the 600 block of Larch, victim passed away, officers responded to shot spotter activation in the area of Laguna and Eddy, investigation is ongoing; September 10th at stabbing homicide occurred; private video footage provided to the officers showed two males in an altercation, one male fell to the ground and later passed away from his injuries. The second subject fled in a vehicle, later taken into custody. Three shooting incidents: September 6th, on Essex Street, victim was inside a residence when one of the subjects grabbed the victim's hand which contained a large sum of money, subject fired a shot and struck the victim, victim was transported to the hospital, no arrest made, investigation is ongoing. September 10th, at 5th and Natoma, victim was approached by an unknown subject asking for change, subject brandished a handgun and when victim did not hand over his money, subject shot the victim, no arrest made, investigation is ongoing. September 11th, 500 block of Felton, victim was at Jack in the Box located on Bayshore Boulevard when victim got into argument with unknown person. A short time later, victim was sitting in his vehicle when he was shot, no arrest made, investigation is ongoing.

Strategies: Community complaint in illegal vending in the Mission resulted in plan that included multi-agencies to go after illegal vending. Park: Car break ins, assigned extra patrol to continue patrolling the area.

Stunt Driving: September 10th, at 6th and Harrison at 1:45 a.m. involving 200 – 300 spectators and a number of vehicles; at 2:09 a.m. an event was reported at Van Ness and Pine with reports of gunshot. Units responded and broke up the group; vehicles left at high rate of speed down Pine and Gough, running redlights. During the event, two people were injured and self-transported to the hospital with minor injuries. At 3:30 a.m., units responded to the Bay Bridge and CHP responded to help break it up.

The Chief reported that the barricade around Mission Station have been taken down.

MOU with the District Attorney's Office have been extended to October 17th.

PUBLIC COMMENT

David Aaronson agreed that there needs to be urgency on the MOU between SFDA and SFPD and spoke of higher rates of drug use imprisonment is not the answer.

DPA Director's Report

- Report on recent DPA activities, and announcement

Chief of Staff Sarah Hawkins for Executive Director Henderson reported the following: In the year 2022: 474 cases opened; 507 closed; 247 pending; 48 cases sustained; 25 cases past 270-day; 16 cases mediated. Cases received in the past week: 7 new cases; 1 (Central) treated a person with bias; 1 (Bayview) failure to take action against abusive behavior; 2 (Northern) failure to arrest a suspect and failure to respond to a burglary call; 2 (Taraval) harassing and racially profiling a person and failure to file a police report; 1 (out of town) need additional investigations.

PUBLIC COMMENT

None

Commission Reports

- Commission President's Report
- Commissioners' Reports
- Commission announcements and scheduling of items identified for consideration at future Commission Meetings.

Commissioner Elias announced that the surveillance issue will be on the agenda next week and hopes to have more information on status of DGOs.

Commissioner Walker talked about legislation put on by the Board of Supervisors called SF Recovers and coordination between agencies to work together and that she would like to work on this issue. She also talked about attending with Commissioner Benedicto training at the Academy.

Commissioner Yee reported that he visited the 911 Center and thanked the dispatchers and their team on the stress that they go through on a daily basis.

Commissioner Yanez spoke regarding a part-time employee making comments on social media and asked to revisit the social media policy.

Commissioner Benedicto reported on continuing outreach regarding DGO 9.01 and that the public is invited to give their feedback and that the next listening September 20th hosted by HRC will be at the Bayview Opera House. He also talked about writing a letter along with Commissioner Elias regarding the Camera ordinance before the Board of Supervisors. He also talked about attending the training at the academy today and stated it was tremendously educational and very helpful and commended the Field Tactics Force Options Unit.

PUBLIC COMMENT

David Aaronson thanked Commissioner Walker for addressing his comment.

PRESENTATION REGARDING DISCIPLINARY CASES REMANDED TO THE CHIEF OF POLICE, 2020 TO PRESENT

Commander Paul Yep, Risk Management, presented the status of discipline cases that have been remanded to the Chief of Police.

PUBLIC COMMENT

Zach asked about two items regarding dishonesty that are disclosable through SB1421.

PRESENTATION FROM THE INTERNAL AFFAIRS DIVISION REGARDING BIAS FINDINGS FROM THE LAST FIVE YEARS

Commander Paul Yep, Risk Management, presented the IAD Bias Findings from the last five years.

PUBLIC COMMENT

None

PRESENTATION OF THE 2ND QUARTER FIREARM DISCHARGE REVIEW BOARD FINDINGS AND RECOMMENDATIONS & OIS INVESTIGATIVE SUMMARY

Deputy Chief Rob O'Sullivan, Field Operations Bureau, presented the 2nd Quarter FDRB Findings and Recommendations & OIS Investigative Summary Report.

PUBLIC COMMENT

Kit Hodge, Wealth & Disparities, asked why this report is only from 2017.

DISCUSSION AND POSSIBLE ACTION TO ADOPT DGO 3.07, "POLICE DEPARTMENT COLLISION BOARD OF REVIEW." MEET AND CONFER DRAFT WAS APPROVED BY THE COMMISSION ON JULY 20, 2022

Motion by Commissioner Elias, second by Commissioner Byrne to adopt. Approved 7-0.

AYES: Commissioners, Walker, Benedicto, Yanez, Yee, Byrne, Carter-Oberstone, Elias

PUBLIC COMMENT:

None

DISCUSSION AND POSSIBLE ACTION TO APPROVED REVISED DGO 5.01, "USE OF FORCE POLICY AND PROPER CONTROL OF A PERSON," FOR THE DEPARTMENT TO USE IN MEETING AND CONFERRING WITH SAN FRANCISCO POLICE OFFICERS ASSOCIATION AS REQUIRED BY LAW

Commissioner Elias gave a brief background about the revision of DGO 5.01 and thanked Janelle Caywood, Captain Harvey, Lieutenant Nevin and Sergeant Crudo for their work on this DGO.

Captain Tom Harvey, Lieutenant Mike Nevin, and Sergeant John Crudo presented DGO 5.01, Use of Force Policy and Proper Control of a Person."

Motion by Commissioner Elias to approved revised DGO 5.01 for the department to use in meeting and conferring with SFPOA. Second by Commissioner Benedicto. Approved 7-0.

AYES: Commissioners, Walker, Benedicto, Yanez, Yee, Byrne, Carter-Oberstone, Elias

PUBLIC COMMENT:

Francisco Dacosta spoke of going into a situation with an open mind and clean heart, things can be resolved and that it sends a nice message to the officers.

PUBLIC COMMENT ON ALL MATTERS PERTAINING TO CLOSED SESSION

None

**VOTE ON WHETHER TO HOLD CLOSED SESSION INCLUDING VOTE PUBLIC COMMENT ON VOTE
WHETHER TO HOLD CLOSED SESSION**

Motion by Commissioner Benedicto, second by Commissioner Byrne. Approved 7-0

AYES: Commissioners, Walker, Benedicto, Yanez, Yee, Byrne, Carter-Oberstone, Elias

CLOSED SESSION (8:03 p.m. – 8:20 p.m.)

Roll Call;

a. PERSONNEL EXCEPTION. Pursuant to Government Code section 54957(b)(1) and San Francisco

Administrative Code Section 67.10(b) and Penal Code Section 832.7: Discussion and possible action to accept or reject Settlement Agreement filed in Case No. DPA 43625-19 or take other action, if necessary

(Present: Commissioners Elias, Yee, Byrne, Carter-Oberstone, Yanez, Benedicto, Walker, Chief Scott, Deputy City Attorney Porianda, Sgt. Youngblood, Risa Tom, Attorney D. Rosenstein, Attorney H. Stern, member involved)

b. PERSONNEL EXCEPTION. Pursuant to Government Code section 54957(b)(1) and San Francisco Administrative Code Section 67.10(b) and Penal Code Section 832.7: Assignment of a

Commissioner for the taking of evidence on disciplinary charges filed in case no. DPA 46148-21

(Present: Commissioners Elias, Yee, Byrne, Carter-Oberstone, Yanez, Benedicto, Walker, Chief Scott, Deputy City Attorney Porianda, Sgt. Youngblood, Sgt. Reynolds, Risa Tom)

c. PERSONNEL EXCEPTION. Pursuant to Government Code section 54957(b)(1) and San Francisco Administrative Code Section 67.10(b) and Penal Code Section 832.7:

Status and calendaring of pending disciplinary cases (ACTION)

(Present: Commissioners Elias, Yee, Byrne, Carter-Oberstone, Yanez, Benedicto, Walker, Chief Scott, Deputy City Attorney Porianda, Sgt. Youngblood, Sgt. Reynolds, Risa Tom)

OPEN SESSION (8:21 p.m.)

VOTE TO ELECT WHETHER TO DISCLOSE ANY OR ALL DISCUSSION HELD IN CLOSED SESSION

Motion by Commissioner Benedicto, second by Commissioner Byrne for non-disclosure. Approved 7-0.

AYES: Commissioners, Walker, Benedicto, Yanez, Yee, Byrne, Carter-Oberstone, Elias

PUBLIC COMMENT

None

ADJOURNMENT

Thereafter, the meeting was adjourned at 8:22 p.m.

Sergeant Stacy Youngblood
Secretary
San Francisco Police Commission

The Police Commission of the City and County of San Francisco met via videoconference at 5:35 p.m.

PRESENT: Commissioners Elias, Yee, Carter-Oberstone, Yanez, Benedicto, Walker
ABSENT: Commissioner Byrne

(Commissioner Elias was excused at 7:30 p.m.)

GENERAL PUBLIC COMMENT

Susan Buckman, Wealth & Disparities, read a quote from their founder regarding bias by SFPD and spoke about how the working group is chaos.

David Calderon called about the murder investigation of his mother and spoke of no response from DPA regarding his complaint and the case of his mother.

Ms. Paulette Brown called in regard to her son Aubrey Abrokasa and thanked the Media and the Commission for coming out to support her on the anniversary of her son's death. She also thanked DA Jenkins for helping with getting her son's headstone process started. She also thanked the Department and the Commission for the support.

CONSENT CALENDAR

- SFPD SB 1421 & SB 16 Monthly Report, July & August 2022
- DPA SB 1421 & SB 16 Monthly Report, August & September 2022

Motion by Commissioner Walker, second by Commissioner Benedicto. Approved 5-0.

AYES: Commissioners Walker, Benedicto, Yanez, Yee, Carter-Oberstone, Elias
ABSENT: Commissioners Byrne

PUBLIC COMMENT

None

Chief's Report

- Weekly crime trends
- Major/Significant Incidents

Assistant Chief Lazar started his report with the announcement of the Latino Heritage Month. He continued to report on crime trends YTD: Violent Crime up 7 percent; homicide down 3 percent; rape up 9 percent; robbery up 4 percent; assault up 10 percent; human trafficking down 42 percent. Property Crimes up 8 percent; burglary down 22 percent; motor vehicle theft up 4 percent; arson down 13 percent; larceny theft up 18 percent. Gun violence is down 7 percent compared to 2021; Five shooting incidents for the week ending on 9/18/22; total 131 incidents resulting in 151 victims YTD. One homicide for the week ending 9/18/22; there are a total of 37 homicides YTD with 26 resulting from a firearm; 61% overall clearance. Guns seized 758; ghost guns seized 129 YTD.

Significant Incident: Two Homicides: On September 18th, stabbing on the 900 block of Geary, argument where two subjects were stabbed, one succumbed to his injuries, investigation is ongoing. On September 19th, at Laguna & Golden Gate, shot spotter notification was received, victim was unresponsive and transported to the hospital, no arrest made, investigation is ongoing. Five Non-Fatal Shootings: September 14th, Hyde & Fulton, victim was walking and saw an individual that they knew and had an altercation where one person shot the other; September 14th, 800 block of Inez, shot spotter activation, Sheriff's Office advised of a person who walked in the hospital who was a victim of a gunshot wound, victim stated he was driving in the area when he was shot; On the 800 block of Clay, victim was in an argument in a hallway and during the argument, the suspect pulled out a gun and shot his neighbor; September 15th, 3100 block of Mission, there were multiple casings located where there was a robbery of a victim at a cannabis club who was approached by three suspects and was shot; September 18th, City Nights Club, witnesses saw someone shooting from 3rd Street and resulted in someone being shot.

Strategies: Chief Lazar stated that the Department is mindful of retaliation and Captains were asked in the Bayview, Ingleside, and Northern to add extra presence for visibility.

Chief Lazar reported on the Tenderloin Micro Grant: It's done three things 1) increased foot beats of officers in the Tenderloin; 2) Increased outreach and education in the community; 3) Partnered with local youth groups specifically YMCA to promote mentorship opportunities. Chief Lazar stated that as a result of this grant: 466 engagements; 59 arrests; 325 citations and 82 admonishments.

Chief Lazar also talked about "Officer of the Month" where there is now a schedule where a bureau selects an officer every month to recognize the great work the officers are doing and spoke of partnership with Hotel Council to host celebration with the officer. Today the Department congratulated Officer Ray Pascua, Airport Bureau, who received Officer of the Month in August, Officers David Nastari and Michael Ellis, Traffic Company who received Officer of the Month in September.

Chief Lazar reported on Dreamforce where officers were present in and outside of Dreamforce. The Department is now planning for Fleet Week. He also announced that October 5th is Coffee With a Cop day.

PUBLIC COMMENT

None

DPA Director's Report

- **Report on recent DPA activities, and announcement**
- **Presentation of the Monthly Statistical Reports, June, July, & August 2022**

Director Henderson reported the following: In the year 2022: 488 cases opened; 522 closed; 247 pending; 48 cases sustained; 24 cases past 270-day; 16 cases mediated. Cases received in the past week: 9 new cases; 1 (Central) unsafe driving; 1 (Southern) Failure to dispatch an officer for a behavioral health crisis; 1 (Bayview) failure to take action against abusive behavior; 2 (Northern) failure to respond to a burglary call, transported and dropped a person off with no shoes and in pain; 1 (Park) referral to Sheriff's office; 1 (Richmond) failure to ask for current auto insurance and discriminating against a person; 2 (Tenderloin) arresting person for failing to sign a citation and refusing to call a supervisor or sergeant, failure to arrest and assault the suspect.

Director Henderson then presented the monthly statistical reports.

Outreach: Can be found on community calendar on the DPA's website and posted on Tweeter, Facebook, Instagram and on DHR's website: September 15th attended the Taraval Community Meeting; Attended the NACOLE Conference in Fort Worth.

PUBLIC COMMENT

David Calderon spoke in regard to his mother's homicide case and spoke of mishandling of his complaints and spoke of conflicting facts regarding his mother's case.

Commission Reports

- **Commission President's Report**
- **Commissioners' Reports**
- **Commission announcements and scheduling of items identified for consideration at future Commission Meetings.**

Commissioner Elias announced that the surveillance issue will be agendized first week in October as well as the presentation on DPA's cases pending before the Chief. She also announced the assignment of commissioners to handle DGOs.

Commissioner Carter-Oberstone updated on attending a listening session held at the Bayview Opera House organized by the Human Rights Commission. He appreciated the work of HRC for putting together the even and appreciated the feedback from the community. He thanked Commissioner Elias for the assignment of commissioners to the various DGOs.

Commissioner Yanez asked that the Community Policing Plan be agendized. He asked about an article regarding traffic officers and enforcement. Assistant Chief Lazar stated that there are 23 traffic officers and that traffic citations have gone up since the article was published.

Commissioner Yee announced that on Saturday he will be attending the Alice Griffith Outdoors event.

PUBLIC COMMENT

Unidentified spoke regarding the article on traffic enforcement and discussed concerns regarding pedestrian safety and maybe that is something that police can cite.

PRESENTATION OF THE SFPD/DPA REPORT ON GENERAL ORDERS/POLICY PROPOSALS "SPARKS REPORT," 2ND QUARTER 2022

Executive Director Maguire and Janelle Caywood presented the SFPD/DPA Report on General Orders/Policy Proposals. Sergeant Donald Anderson presented the portion regarding the Disengagement Policy.

PUBLIC COMMENT

None

PRESENTATION REGARDING DPA'S CASE MANAGEMENT SYSTEM

Operations Director Nicole Armstrong presented the DPA's Case Management System report along with Business Analyst Ahmed Skaljc of the ZS Team. The goal was to create a public facing case-tracking site to allow police complainants a way to view their case status.

PUBLIC COMMENT

Francisco Dacosta asked how cases are tracked when a case is closed and then resurrected after over a year.

PRESENTATION REGARDING DPA'S MEDIATION PROGRAM

Director Alexandra Schultheis, Director of Mediation, presented the report. The Mediation Division is an essential component of the DPA's work, facilitating direct communication between officers and the public to resolve misunderstandings and conflicts and the goal is to help improve the relationship between SFPD and the community by fostering a conversation where the parties are free to present their perspectives on a given interaction that has resulted in a complaint.

PUBLIC COMMENT

Francisco Dacosta spoke regarding the Mediation Program and stated that the COPS recommendations is a joke.

PRESENTATION REGARDING DPA'S LAW & JUSTICE REFORM INTERNSHIP

Tinnetta Thompson presented the Law and Justice Reform Internship Report, Summer 2022.

PUBLIC COMMENT

None

PUBLIC COMMENT ON ALL MATTERS PERTAINING TO CLOSED SESSION

None

VOTE ON WHETHER TO HOLD CLOSED SESSION INCLUDING VOTE PUBLIC COMMENT ON VOTE WHETHER TO HOLD CLOSED SESSION

Motion by Commissioner Benedicto, second by Commissioner Yee. Approved 4-0

AYES: Commissioners Benedicto, Yanez, Yee, Carter-Oberstone

CLOSED SESSION (8:35 p.m.)

Roll Call;

a. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION: Chief of Police**

Pursuant to Government code Section 67.10(b) and Penal Code Section 832.7: Review of findings and Chief's decision to return or not return officers to duty following officer-involved shooting (OIS 22-05) Put over to October 5 2022 meeting

b. PERSONNEL EXCEPTION. Pursuant to Government Code section 54957(b)(1) and San Francisco Administrative Code Section 67.10(b) and Penal Code Section 832.7: Discussion and possible action to accept or reject Settlement Agreement filed in Case No. IAD 2019-0202 or take other action, if necessary

(Present: Commissioners Carter-Oberstone, Yee, Yanez, Benedicto, Walker, Assistant Chief Lazar, Deputy City Attorney Porianda, Sgt. Youngblood, Attorney Worsham, Attorney Knox, Attorney Burrell, and member involved)

c. PERSONNEL EXCEPTION. Pursuant to Government Code section 54957(b)(1) and San Francisco Administrative Code Section 67.10(b) and Penal Code Section 832.7: Hearing on Motion to Dismiss per Government Code Section 334(d) filed in Case No. IAD 2019-0164

(Present: Commissioners Carter-Oberstone, Yee, Yanez, Benedicto, Walker, Assistant Chief Lazar, Deputy City Attorney Porianda, Sgt. Youngblood, Sgt. Reynolds, Attorney Betz, Attorney Fox, member involved)

d. PERSONNEL EXCEPTION. Pursuant to Government Code section 54957(b)(1) and San Francisco Administrative Code Section 67.10(b) and Penal Code Section 832.7:

Status and calendaring of pending disciplinary cases (ACTION)

(Present: Commissioners Carter-Oberstone, Yee, Yanez, Benedicto, Walker, Assistant Chief Lazar, Deputy City Attorney Porianda, Sgt. Youngblood, Sgt. Reynolds)

OPEN SESSION (10:30 p.m.)

VOTE TO ELECT WHETHER TO DISCLOSE ANY OR ALL DISCUSSION HELD IN CLOSED SESSION

Motion by Commissioner Benedicto, second by Commissioner Yee for non-disclosure.
Approved 6-0.

AYES: Commissioners Walker, Benedicto, Yanez, Yee, Carter-Oberstone

PUBLIC COMMENT

None

ADJOURNMENT

Thereafter, the meeting was adjourned at 10:30 p.m.

Sergeant Stacy Youngblood
Secretary
San Francisco Police Commission